



# INDIANA STATE BOARD OF EDUCATION

**To:** Indiana State Board of Education  
**From:** Timothy Schultz, Deputy General Counsel  
**Date:** May 11, 2016  
**RE:** Approval to Initiation Rulemaking for Virtual Charter Schools

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## MEMORANDUM

**Recommendation: approve the initiation process to adopt Virtual Chart School administrative rules.**

The State Board of Education (“Board”) staff recommends the Board initiate rulemaking regarding Virtual Charter Schools because the current administrative rules are set to expire in January 2017. The Board staff also recommends adopting the updated rules under Title 511 of the administrative code, rather than Title 512 where the expiring rules are currently located, as Title 511 contains all other Board administrative rules. Adopting the Virtual Charter School administrative rules under Title 511 is appropriate as the authorizing statute, IC 20-34-7-13, states that the Board shall adopt rules to govern the operation of Virtual Charter Schools. The Board will not be approving any language at this meeting, merely granting permission to begin the rulemaking process. The process will proceed as follows:

- Staff will file initial paperwork with LSA to let them know we have approval from the Board to begin the rulemaking process.
- Staff will present a Proposed Rule to the Board for adoption at a later meeting.
- Once a Proposed Rule is adopted by the Board, it will be published for public comment, and a public hearing will be held.
- The Board will then adopt a Final Rule based on public comments and any recommended technical changes from staff.